

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE JOINT) CASE NOS. SUZ-W-18-02
APPLICATION OF SUEZ WATER IDAHO,))
INC., TO ACQUIRE EAGLE WATER) EAG-W-18-01
COMPANY)
) NOTICE OF AMENDED
) APPLICATION
)
) ORDER NO. 35104
)

On June 8, 2021, Eagle Water Company, Inc. (“Eagle Water”) and SUEZ Water Idaho Inc. (“SUEZ”) filed a motion to recommence proceedings in this docket. The same day, Eagle Water and SUEZ filed an amendment (“Amended Joint Application”) to its joint application requesting approval of the acquisition of Eagle Water assets by SUEZ and amendment of Certificate of Public Convenience and Necessity No. 143 (“Joint Application”).

The Commission now grants SUEZ and Eagle Water’s motion to recommence proceedings and provides notice of the Amended Joint Application.

NOTICE OF AMENDED APPLICATION

YOU ARE HEREBY NOTIFIED that on November 15, 2018, SUEZ and Eagle Water filed the Joint Application requesting Commission approval of the proposed acquisition of Eagle Water’s assets by SUEZ. On December 7, 2018, the Commission issued a Notice of Application and Notice of Intervention Deadline. Order No. 34203. The City of Eagle, Eagle Water Customer Group, Boise City, Community Action Partnership Association of Idaho, and Citizens Allied for Integrity and Accountability were granted intervention. Order No. 34229.

YOU ARE FURTHER NOTIFIED that during the proceeding, the City of Eagle sued Eagle Water in District Court and claimed a right of first refusal to buy Eagle Water’s system. *See* Case No. CV01-19-03534. On March 21, 2019, SUEZ filed a motion to stay the proceeding before the Commission pending the outcome of the District Court case. The Commission granted SUEZ’s motion subject to two conditions: 1) the Commission retained full jurisdiction over the Joint Application; and 2) SUEZ and Eagle Water were required to provide the Commission and parties with quarterly reports on the status of the District Court case, Case No. CV01-19-03534. Order No. 34292.

YOU ARE FURTHER NOTIFIED that after extended mediation, SUEZ, Eagle Water, and the City of Eagle reached a settlement agreement (“Settlement Agreement”). On February 24, 2021, the parties filed the Settlement Agreement and a stipulation of dismissal with the District Court. On March 8, 2021, the District Court dismissed the case.

YOU ARE FURTHER NOTIFIED that Eagle Water and SUEZ’s June 8, 2021 motion asks that the Commission recommence proceedings in this docket and accept the Amended Joint Application and supporting supplemental written testimony. The Amended Joint Application details the amendments to the 2018 Joint Application. Most notably, the purchase price for the Eagle Water assets increased by \$500,000, and the phase-in period to bring Eagle Water rates to parity with SUEZ’s rates was changed from three years to five years.

YOU ARE FURTHER NOTIFIED that the Amended Joint Application has several attachments, including a water management agreement between the City of Eagle and SUEZ and the asset purchase agreement. Supplemental written testimony was filed contemporaneously with the Amended Joint Application.

YOU ARE FURTHER NOTIFIED that the Joint Application, Amended Joint Application, attachments, and testimony are available for public inspection during regular business hours at the Commission’s office. These documents are also available on the Commission’s web site at www.puc.idaho.gov. Click on the “WATER” icon, select “Open Cases,” and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission’s jurisdiction under Title 61 of the Idaho Code.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission’s Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

ORDER

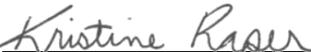
IT IS HEREBY ORDERED that SUEZ and Eagle Water’s motion to recommence proceedings is granted.

IT IS FURTHER ORDERED that parties should continue to comply with Order No. 35058, issued June 3, 2021. All pleadings should be filed with the Commission electronically and shall be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should also be accomplished electronically. Voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

DONE by order of the Idaho Public Utilities Commission at Boise, Idaho this 14th day of July 2021.



PAUL KJELLANDER, PRESIDENT

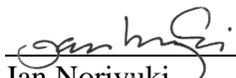


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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